

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

EDDIE and SHARON LESTER, et al., : CIVIL ACTION NO. 3:01-CV-1182

Plaintiffs

:
: (Judge Conner)

v.

:

GENE PERCUDANI, et al.,

Defendants

:

PABLO ACRE, et al., : CIVIL ACTION NO. 1:04-CV-0832

Plaintiff

:
: (Judge Conner)

v.

:

CHASE MANHATTAN

MORTGAGE CORP., et al.,

Defendants

:

ORDER

AND NOW, this 21st day of February, 2012, upon consideration of the motion for stay pending appeal (No. 3:01-CV-1182 Doc. 528; No. 1:04-CV-0832, Doc. 395), filed by defendants Gene Percudani, Chapel Creek Homes, Inc., Chapel Creek Mortgage Banker, Inc., Homes by Vintage, Inc, Raintree Homes, Inc., and Y-Rent, Inc., and upon further consideration of the Order of the court (Doc. 399) conditionally granting the motion, effective upon the posting of an appropriate supersedeas bond, and it appearing that defendants posted a bond with the court in the amount of \$301,750.00 on February 2, 2012 (see No. 1:04-CV-0832, Doc. 400), it is hereby ORDERED that:

1. The motion for stay pending appeal (No. 3:01-CV-1182 Doc. 528; No. 1:04-CV-0832, Doc. 395) is GRANTED.
2. Paragraph 3 of the court's Order of December 8, 2011, (Doc. 393) directing defendants to tender \$300,000 to plaintiffs' counsel in accordance with the terms of the parties' settlement agreement is STAYED.
3. The Clerk of Court is directed, as soon as practicable, to invest the \$301,750.00 posted as a bond into an interest-bearing account consistent with the mandates of Federal Rule of Civil Procedure 67 and Local Rule 67.1. The monies shall remain in said interest-bearing account until the appeal of the above-captioned matter is complete, or until order of the court directing release of the funds, whichever occurs first.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge